



## Broadcasting Decision CRTC 2007-376

Ottawa, 15 October 2007

**Amherst Island Radio Inc.**  
Stella, Ontario

*Application 2007-1344-7, revised 23 September 2007*  
*Broadcasting Public Notice CRTC 2007-109*  
*28 September 2007*

### **CJAI-FM Stella – Technical change**

*The Commission **approves** the application by Amherst Island Radio Inc. to amend the broadcasting licence for the radio programming undertaking CJAI-FM Stella by changing the station's frequency.*

### **Introduction**

1. The Commission received an application by Amherst Island Radio Inc. (AIR) to amend the broadcasting licence for the developmental community radio programming undertaking CJAI-FM Stella in order to change the frequency from 93.7 MHz to 92.1 MHz. The licensee did not propose to change CJAI-FM's authorised contours or any other technical parameter under which it currently operates.
2. CJAI-FM was licensed as an English-language developmental community FM radio programming undertaking in Broadcasting Decision 2005-550. As with all other developmental licensees, AIR was given a short-term licence with the provision that, in the event it wished to continue the operation of its station beyond the expiry of its licence, it would be required to apply for a regular community radio licence.
3. In response to the Commission's approval of an application by K-Rock 1057 Inc. (K-Rock) proposing the use of the frequency 93.5 MHz for a new FM station at Kingston<sup>1</sup> and in response to being informed by K-Rock that on-air testing of its new station's signal would commence between 12 October 2007 and 19 October 2007, AIR filed the present application for the use of 92.1 MHz, to ensure the continuity of its service until such time as the Commission considers AIR's application for a regular community radio licence. The licensee indicated that the proximity of Stella to Kingston would result in CJAI-FM's frequency 93.7 MHz being incompatible with the frequency 93.5 MHz to be used by K-Rock, rendering CJAI-FM's signal useless, given K-Rock's technical parameters.
4. The Commission received one intervention in support of this application.

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<sup>1</sup> See Broadcasting Decision 2007-334.

## Commission's analysis and determination

5. The Commission notes that CJAI-FM is currently licensed as a low-power unprotected FM service. AIR is therefore required to vacate the 93.7 MHz frequency upon K-Rock commencing its use of the frequency 93.5 MHz. The Commission further notes that, prior to K-Rock being granted authority for its new FM station, the licensee had already filed an application for a regular community radio licence. Typically, when developmental community radio undertakings apply for regular community radio licences and are approved, the transition is smooth and generally occurs without interruption on the frequency on which they had been operating.
6. In considering AIR's request, the Commission is mindful of AIR's existing application for a regular community radio service. The Commission also notes that, according to the Community Radio Policy set out in Public Notice 2000-13, filing an application for a full power service is one of two options facing developmental community radio stations; the other is to cease operations.

## Conclusion

7. Given the foregoing, the Commission **approves** the application by Amherst Island Radio Inc. to amend the broadcasting licence for the radio programming undertaking CJAI-FM Stella in order to change the frequency from 93.7 MHz to 92.1 MHz.
8. The Commission notes that this will allow it to consider AIR's application for a regular community radio licence while at the same time permitting a smooth transition between developmental and regular community radio status for CJAI-FM in the event that AIR's application is eventually approved.
9. In its consideration of this application, the Commission also notes the very unique circumstances under which AIR filed its request.
10. The Commission reminds the licensee that, pursuant to section 22(1) of the *Broadcasting Act*, this authority will only be effective when the Department of Industry (the Department) notifies the Commission that its technical requirements have been met, and that a broadcasting certificate will be issued.
11. Given that the technical parameters approved in this decision are for a low-power unprotected FM service, the Commission also reminds the licensee that it will have to select another frequency if the Department so requires.

Secretary General

## Related documents

- *Conversions to FM band and licensing of a new radio station to serve Kingston*, Broadcasting Decision CRTC 2007-334, 28 August 2007.

- *English-language developmental community FM radio station in Stella*, Broadcasting Decision CRTC 2005-550, 23 November 2005.
- *Community radio policy*, Public Notice CRTC 2000-13, 28 January 2000.

*This decision is to be appended to the licence. It is available in alternative format upon request and may also be examined in PDF format or in HTML at the following Internet site: <http://www.crtc.gc.ca>*